

California Department of Insurance

Fraud Division

May 2013 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

May 2013 Workers' Compensation Fraud Convictions

Case Number: BA404134

County: Los Angeles

Defendant: Luis Manuel Avalos

City/County of Residence: Not available at this time

Conviction Date: 5/13/13

Offense: 1 Count of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$88,000.47

Sentence: 180 Days County Jail (Suspended), 30 Days of Cal Trans Work, 3 Years Formal Probation, \$88,000.47 Restitution to Be Paid Within 3 Years, \$280 Civil Fine

Case Number: BA402382

County: Los Angeles

Defendant: Robert Phillip Berger

City/County of Residence: Not available at this time

Conviction Date: 05/10/13

Offense: 1 Count of IC 1871.4(a)(4) (Workers' Compensation Insurance Fraud)

Amount Allegedly Defrauded: \$3,397.68

Sentence: 250 Hours Community Service, 3 Years Formal Probation, \$3,397.68 Restitution, \$240 Civil Fine

CDI Case Number: 10CW019231

County: Los Angeles

Defendant: Mia Rachel Brown

City/County of Residence: Hawthorne/Los Angeles

Conviction Date: 05/09/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$8,935.29

Sentence: 8 Days County Jail, 2 Years Summary Probation, \$8,935.29 Restitution, \$100 Civil Fine

Case Number: BA406104

County: Los Angeles

Defendant: Flor Cooley

City/County of Residence: Not available at this time

Conviction Date: 05/20/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$7,000

Sentence: 120 Hours Community Services, 3 Years Formal Probation, \$7,000 Restitution (Paid-In-Full), \$240 Civil Fine

CDI Case Number: 12DW007110

County: Orange

Defendant: Patricia Contreras

City/County of Residence: Santa Ana/Orange

Conviction Date: 05/03/13

Offense: 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim); 1 Count of PC 550(b)(3) (False or Fraudulent Claim or Statement)

Amount Allegedly Defrauded: \$18,370 Plus To Be Determined

Sentence: 180 Days County Jail, 5 Years Formal Probation, \$18,370 Restitution on Convicted Counts Plus Amount To Be Determined on Dismissed Counts, \$200 Civil Fine, Pay Cost of Probation Supervision Fee As Determined by Probation Department

CDI Case Number: 12EW002709

County: San Diego

Defendant: Alicia R. Doherty

City/County of Residence: San Diego/San Diego

Conviction Date: 05/09/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$2,376.50

Sentence: 1 Day County Jail, 3 Years Court Probation, \$2,376.50 Restitution, \$200 Civil Fine, \$720 Criminal Fine

CDI Case Number: 12JW007116

County: Los Angeles

Defendant: Hilarian Alcala Gonzalez

City/County of Residence: Los Angeles/Los Angeles

Conviction Date: 05/09/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: TBD

Sentence: 80 Hours Community Service, 2 Years Summary Probation, \$120 Civil Fine

Case Number: BA403408

County: Los Angeles

Defendant: Martha Cedillo Heredia

City/County of Residence: Not available at this time

Conviction Date: 05/22/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$44,562.35

Sentence: 160 Hours Community Services, 3 Years Formal Probation, \$44,562.35 Restitution, Civil Fine is Stayed

CDI Case Number: 12JW005220

County: Ventura

Defendant: Antonio Porfirio Rodriguez

City/County of Residence: Oxnard/Ventura

Conviction Date: 05/15/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$20,000

Sentence: 60 Days County Jail (Stayed), 60 Months Conditional Probation, \$20,000 Restitution To Barrett Business Services, Inc., \$140 Civil Fine

CDI Case Number: 12HW009731

County: San Bernardino

Defendant: Fidelina Sandoval

City/County of Residence: Barstow/San Bernardino

Conviction Date: 05/09/13

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: TBD

Sentence: 2 Days County Jail, 36 Months Conditional Probation, Court Retains Jurisdiction on Issue of Restitution, \$259 Civil Fine, \$150 Court Appointed Counsel Fee

Case Number: 2013011504

County: Ventura

Defendant: Derick Kiet Tran

City/County of Residence: Not available at this time

Conviction Date: 05/30/13

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Conditional Probation, \$1,000 to the Workers' Compensation Fraud Account, \$140 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed)